

LAW ENFORCEMENT ACADEMY[501]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 80B.11(1)“c”(3), the Iowa Law Enforcement Academy hereby gives Notice of Intended Action to amend Chapter 8, “Mandatory In-Service Training Requirements,” and Chapter 10, “Reserve Peace Officers,” Iowa Administrative Code.

The rules in Chapters 8 and 10 describe the requirements for mandatory in-service training for certified officers and reserve officers. This rule making adds subrules to comply with 2012 Iowa Acts, Senate File 2312, which amended Iowa Code section 80B.11(1)“c”(3) to set forth additional requirements for mandatory mental health training. Chapters 8 and 10 are also being amended to update the description of the firearms training requirements to more accurately describe the current training program.

Any interested person may make written suggestions or comments on the proposed amendments on or before July 2, 2013. Written comments should be directed to Russell Rigdon, Iowa Law Enforcement Academy, P.O. Box 130, Johnston, Iowa 50131. Comments may be submitted by fax to (515)242-5471 or by e-mail to russell.rigdon@iowa.gov.

After a review of this rule making, the fiscal impact of the amendments cannot be anticipated. The addition of subrules 8.1(4) and 10.206(4) will require the additional expenditures of funds by the agencies affected, but the exact amount of the cost cannot be calculated at this time. It is expected that some affected agencies will conduct the mandatory mental health training through an in-house training program, while others will contract with an outside agency for the training. The cost of the individual trainings as well as travel expenses will vary from agency to agency so an accurate estimate is not possible at this time. The amendments to subrules 8.1(1), 10.1(2) and 10.206(1) and rule 501—10.5(80D) should have no fiscal impact as these amendments merely memorialize the already-existing firearms training required by the Iowa Law Enforcement Academy.

After review of this rule making, no adverse impact on jobs is anticipated.

These amendments are intended to implement Iowa Code section 80B.11(1).

The following amendments are proposed.

ITEM 1. Amend subrule 8.1(1) as follows:

8.1(1) Firearms training. A regular law enforcement officer must qualify with all duty ~~handguns~~ firearms annually on a course of fire using targets approved by the Iowa law enforcement academy and must successfully fire a minimum score as established by the Iowa law enforcement academy. This ~~rule~~ subrule applies to only those law enforcement officers who are authorized to carry ~~handguns~~ firearms by ~~their~~ the officers' employing agency.

ITEM 2. Adopt the following new subrule 8.1(4):

8.1(4) Mental health training. In addition to the requirements of subrules 8.1(1), 8.1(2) and 8.1(3), a regular law enforcement officer must receive mental health in-service training from a course of study approved by the Iowa law enforcement academy.

a. Initial in-service training. Effective [insert effective date when filed], each regular law enforcement officer shall complete within one year a minimum of 4 hours of mental health training from a course of study approved by the Iowa law enforcement academy council. Successful completion of Mental Health First Aid or Crisis Intervention (Memphis Model or similar model) training after January 1, 2011, shall satisfy the initial requirement.

b. Annual in-service training. Effective [insert effective date when filed], each regular law enforcement officer shall complete a minimum of 1 hour per year, or 4 hours every 4 years, of mental

health training from a course of study approved by the Iowa law enforcement academy council. This annual in-service training is separate from and in addition to any other in-service training requirements set forth in this chapter, including the initial in-service mental health training required in paragraph 8.1(4)“a.”

ITEM 3. Amend subrule 10.1(2) as follows:

10.1(2) Individuals who have been certified through training by the Iowa law enforcement academy as regular officers may be certified to carry weapons as reserve officers without repeating the required reserve officer’s weapons training under the following conditions:

a. The academy certification through training was acquired through a school in which firearms training was required; and

(1) The individual is serving as a regular officer for another department at the time of appointment as a reserve officer, or

(2) The individual has served as a regular officer within the two years immediately preceding appointment as a reserve officer.

b. Verification must also be provided to the council that the officer has fired a qualifying score of 80 percent or higher on a ~~tactical revolver~~ firearm course using targets approved by the academy within the past 12 months. This verification must be provided by an academy-trained and -certified firearms instructor.

ITEM 4. Amend rule 501—10.5(80D) as follows:

501—10.5(80D) Annual qualification. All reserve peace officers who are certified to carry firearms must qualify with all duty ~~handguns~~ firearms annually on a course of fire using targets approved by the Iowa law enforcement academy under the supervision of an academy-certified firearms instructor and must successfully fire a minimum score as established by the academy.

ITEM 5. Amend subrule 10.206(1) as follows:

10.206(1) Firearms training. A certified reserve peace officer who is authorized to carry firearms must qualify with all duty ~~handguns~~ firearms annually on a course of fire using targets approved by the Iowa law enforcement academy and must successfully fire a minimum score as established by the Iowa law enforcement academy. This subrule applies only to those reserve peace officers who are authorized to carry firearms by ~~their~~ the officers’ appointing agency.

ITEM 6. Adopt the following new subrule 10.206(4):

10.206(4) Mental health training. In addition to the requirements of subrules 10.206(1) and 10.206(2), a certified reserve peace officer must receive mental health in-service training from a course of study approved by the Iowa law enforcement academy.

a. Initial in-service training. Effective [insert effective date when filed], each certified reserve peace officer shall complete within one year a minimum of 4 hours of mental health training from a course of study approved by the Iowa law enforcement academy council. Successful completion of Mental Health First Aid or Crisis Intervention (Memphis Model or similar model) training after January 1, 2011, shall satisfy the initial requirement.

b. Annual in-service training. Effective [insert effective date when filed], each certified reserve peace officer shall complete a minimum of 1 hour per year, or 4 hours every four years, of mental health training from a course of study approved by the Iowa law enforcement academy council. This annual in-service training is separate from and in addition to any other in-service training requirements set forth in this chapter, including the initial in-service mental health training required in paragraph 10.206(4)“a.”